

MARIO J. PRIMM,)	
)	
Petitioner,)	
)	
v.)	No. 4:05-CV-1295 CAS
)	
DON ROPER,)	
)	
Respondent.)	

This matter is before the Court on state prisoner Mario J. Primm's action pursuant to 28 U.S.C. § 2254. This case was referred to United States Magistrate Judge Thomas C. Mummert, III, for report and recommendation on all dispositive matters and for final disposition on all non-dispositive matters, pursuant to 28 U.S.C. § 636(b).

Following de novo review, the Court concurs in the recommendation of the Magistrate Judge as contained in the well-reasoned and thorough Report and Recommendation. Petitioner's objections are overruled.


Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 24]

IT IS FURTHER ORDERED that Mario J. Primm's Petition for Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2254 is **DENIED**. [Doc. 3]

IT IS FURTHER ORDERED that this matter is **DISMISSED**, with no further action to take place herein.

An appropriate judgment will accompany this order.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 19th day of August, 2008.